G R S App F IX-4]

Previous References

1947 - 48 (nil)

File No 40-47

Serial Nos 179

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Do

Part B for marchup

SUBJECT

Press note re removal of disqualification

Ks

Extract from the minutes of the Minister for Law
dated 22nd December 1947

I has come to my notice that several political offenders, who were convicted in 1942 in connection ~~xkm~~ with the August Disturbances and who were since released, have been debarred from standing as candidates for elections to the Municipal Councils, District Boards, etc They were ~~xre~~ released on the ground that their offences, if any, were political and not criminal, and it would be unjust to deprive them of their civic rights Some order has to be passed exempting them from any disqualification imposed on them by any provision of law Office will kindly put up a ~~mxixxm~~ note and a draft notification in this behalf before tomorrow afternoon and place it before me by 3 P M tomorrow

Sd/- K T Bhashyam,
22-12-1947

Law Secy)

Legislative Branch work deal with the ~~Houses~~ Houses of Legislature If approved this note will be sent to the Municipal Branch for necessary action

DSR
22/12/47

Dy Secy
Minister 23/12

for 23/12/47

BVN
22/12

Submitted
under Section 12(1)(A)(i) ~~xxxxxxxxx~~ ~~xxxxxxxxx~~ of the City Municipalities Act and the Town Municipalities Act and 9(1)(A(1) of the Minor Municipalities Act "no person may be a (Municipal) Councillor who has been sentenced by a Criminal Court to imprisonment or whatever for an offence punishable with imprisonment

827/M 3447/L

I am learning exceeding rare cases of to transportation, such sentence not having been subsequently reversed or quashed" fall under proviso (b) of the same section, this disqualification will cease to operate after the expiry of three years from the date of such punishment dismissal or earlier by an Order of Government

Hence any conviction obtained for political offence in 1942, even in 1943 and 1944 shall have long become unoperative so that no disqualification attaches to such persons in the case of such persons

I agree
23/12

Rev 23/12/47

No action appears to be necessary

Rev 23/12/47

Minister for L.S.G

23/12

Yes
Rev 23/12/47

Minister for Law

23/12

See my note on Draft file

23/12/47

KTB
23/12

Law Secy)

BVR 23/12 subject to Extract of Law Minister's note is placed on the file for taking further action. This may be forwarded to Municipal Branch for further action

Asst Secy
Municipal Br

31/12/47

Rec'd 31/12

BVR 31/12

611/48

3447/mc

877/RL

Draft press note to put up for consideration

Mac 9/1/48 Pb to 148

The Legislative Branch has requested to put up a copy of the press note issued on the subject relating to the removal of disqualification in respect of candidates for the Legislative Council or the Constituent Assembly

Legislative Branch for 3/1/48

A copy of the press note issued from the Legislative Branch is put up for being transmitted to the PR Branch

DSM 4.2.48 Asst Secy (Legislative) 3/1/48

Put up PR release the press note relating to PR elections accordingly for 3/1/48

Legislative Branch RECEIVED 1948 I.C. Pb

Revised press note is put up for approval

Mac 7/2/48 Pb 7.40 ... opinion of the Legislative Branch may be expressed Mr. ... Draft put up as above

Mr K N G

(Asst Secy) 10/C 7/2/48 "Revised for approval" 10/C 7/2/48

- draft -

1147/2

For kind of placing on the file a copy each of the city Town & Municipalities Acts with up to date amendments for reference & return

Dem 877/RL

18/2/48

AVW 14/2 — Supdt Ml Pers WC — Pl Comply

One set of the Nasik Acts is sent herewith

For 23/2/48 — Suppl. Legislative Pers WC — Mr D S

19/2/48

A Copy of the Press note issued from the ~~Legislative~~ Branch, for purposes of Constituent Assembly elections is put up for perusal The draft Press note put up by the Ml Branch is on similar lines & may be approved

Dem 26.2.48

Mas 26.2.48

CRFT RY L W L AI T 1883 27 FEB 1948 GOVT OF MY

RD 26/2/48

Law Secy

Rev Secy WC 29/2

for perusal before issue

CCA L G VT No 1559 Date

28/2

Minister for city Affairs

Re 3/3/48

4/3

4/3

7/3

8/3

8/3

T I T FOR CITY I A AND MUNICIPAL No 1461 Dt 5-3-1948

REVENUE SECTT 8/3

This will be sent to the Publicity (Publicity officer) for further action & return

Press Note

Approved by CS

8/3

10 copies/recd 9 copies

App F III-6

Publicity Office | File No. 877/Pb. of 194

Serial No

Office of the Chief Minister
No — 2814 —
Date — 11 3-48

— D/f. Press Note for
Hind attard before issue
JSP
10/3/48 — please put up typed draft.
u
10/3/48

Typed d/f. Subd
JSP
11/3/48 Subd for perusal before
issue
Chief Minister)
u
11/3/48.

Kda
12/3
msw
u
12/3

— A Copy of the Note issued is put up
the file may be returned to the G.S Gr
Branch if attard.
JSP
12/3/48 (R S Gr Branch)
u
12/3
For perusal

2136
15/3

newspaper
18/Mch

8
16/3/48
may be recorded
16/Mch

R.
16/

NOTE—Contn sheet

File No	of 194	Publicity Office
		Serial No

W D 0909—GPB—500—21 11-47

W.C. of the P.O. M40-47-179

No 4

G R S App F G 3

GENTRAL AND REVENUE SECRETARIAT

(Continuation sheet draft forms)

press Note

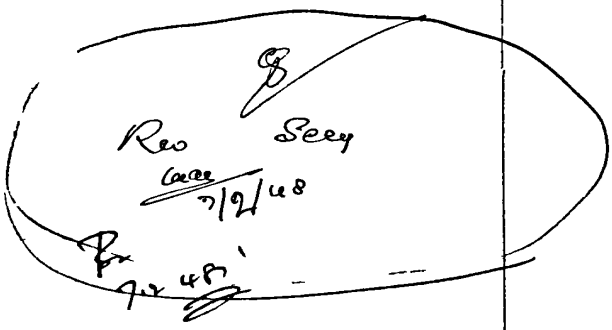
Removal of Disqualification

Under Sec 12 (1) (A)(aa)(bb) of the Mysore City and Mysore Town Municipalities Acts 1933 respectively and under Sec 9 (1) (A)(aa)(bb) of the Mysore Minor Municipalities Act 1933, one of the disqualifications for any person becoming a municipal Councillor is a Conviction and Sentence of imprisonment by a Criminal Court for an offence punishable with imprisonment for a term exceeding Six months, unless a period of three years or such lesser period as Govt may allow in any particular Case has elapsed from the date of such Sentence

With a view to enable persons who have undergone imprisonment in Connection

WD 03603—GPB—1 000—8-7 35

with political movements and have thereby incurred disqualifications render the several Municipal Acts to become members of Municipal Councils, it is proposed to make them eligible to stand for elections by removing this disqualification. Such of the persons as are, render any disqualification may therefore, apply to the Govt to have their disqualification removed



With the compliments of the
Publicity Officer to Government,
Bangalore, dated, March 12, 1948

- 0 -

PRESS NOTE

Removal of disqualification

Under Sec 12(1)(A) of the Mysore City and Mysore Town Municipalities Acts 1933 respectively and under Sec 9(1)(A) of the Mysore Minor Municipalities Act 1933, one of the disqualifications for any person becoming a Municipal Councillor is a sentence of imprisonment by a Criminal Court for an offence punishable with imprisonment for a term exceeding six months, unless a period of three years, or such lesser period as Government may allow in any particular case, has elapsed from the date of such sentence

With a view to enabling persons who have undergone imprisonment in connection with political movements and have thereby incurred disqualifications under the several Municipal Acts to become members of Municipal Councils, it is proposed to make them eligible to stand for elections by removing this disqualification Such of the persons as are under any disqualification may, therefore, apply to the Government to have their disqualification removed

KGC

With the Compliments of the Publicity Officer to Government of Mysore

PRESS NOTE

Bangalore, Dated 15th January 1948

Under Rule 9 (c) of the Mysore Constituent Assembly Election Rules 1948 one of the disqualifications for electors is conviction and sentence of imprisonment for not less than two years by a court in Mysore or elsewhere unless a period of five years or such lesser period as the Government may allow in any particular case has elapsed since his release

With a view to enable persons who have undergone imprisonment in connection with political movements and thereby incurred disqualification under Rule (9) (c) to vote at elections it is proposed to make them eligible for voting by removing this disqualification Such of the persons as are under any such disqualification may therefore apply to the Government well in time to have their disqualification removed

Regarding candidates it may be noted that no such disqualification attaches to them and under Rule 20 any person who is over thirty years of age and is a subject of His Highness the Maharaja can stand for election to the Mysore Constituent Assembly

WD 1155—GPB—1 500—16 1 48

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

~~(Continuation sheet draft form)~~

Not approved

No 4

press note

There seems to be ~~some~~ an apprehension among a section of the people that persons convicted of political offences during the 1942 Satyagraha movement are disqualified from standing for election to the Local Bodies. Govt desire to make it clear that such persons can no longer be under any disqualification in any election since the disqualification arises only in cases of sentence extending to or beyond three years and would have ceased to operate by now even in extreme cases. Such of those as are under a disqualification of the kind mentioned due to any

WD 03603—GPB—15 000—8-7 35

extra ordinary circumstances,
may apply to the Court to have
their disqualification removed

Reb Secy
9/1/48
Draft

With the Compliments of the Publicity Officer to Government of Mysore

PRESS NOTE

Bangalore Dated 15th January 1948

Under Rule 9 (c) of the Mysore Constituent Assembly Election Rules 1948 one of the disqualifications for electors is conviction and sentence of imprisonment for not less than two years by a court in Mysore or elsewhere unless a period of five years or such lesser period as the Government may allow in any particular case has elapsed since his release

With a view to enable persons who have undergone imprisonment in connection with political movements and thereby incurred disqualification under Rule (9) (c) to vote at elections it is proposed to make them eligible for voting by removing this disqualification Such of the persons as are under any such disqualification may therefore apply to the Government well in time to have their disqualification removed

Regarding candidates it may be noted that no such disqualification attaches to them and under Rule 20 any person who is over thirty years of age and is a subject of His Highness the Maharaja can stand for election to the Mysore Constituent Assembly

WD 1155—GPB—1 500—16 1 48

Extract from the minutes of the Minister for Law and Labour dated 23rd December 1947

It might help candidates and Returning Officers if the matter is clarified by a Press Note It might be made clear that

(i) no question of disqualification arises in respect of candidature to the elections to the Constituent Assembly,

(ii) those convicted and sentenced during the 1942 August disturbances can no longer be under any disqualification in any election, since disqualification arises only in cases of sentence extending to or beyond two years and even in such cases the disqualification ceases from thedate of the sentence Even if the sentence was given during the year 43-44, the disqualification must have ceased by now

(iii) Such of those as are under disqualification may apply to the Government to have their disqualification removed

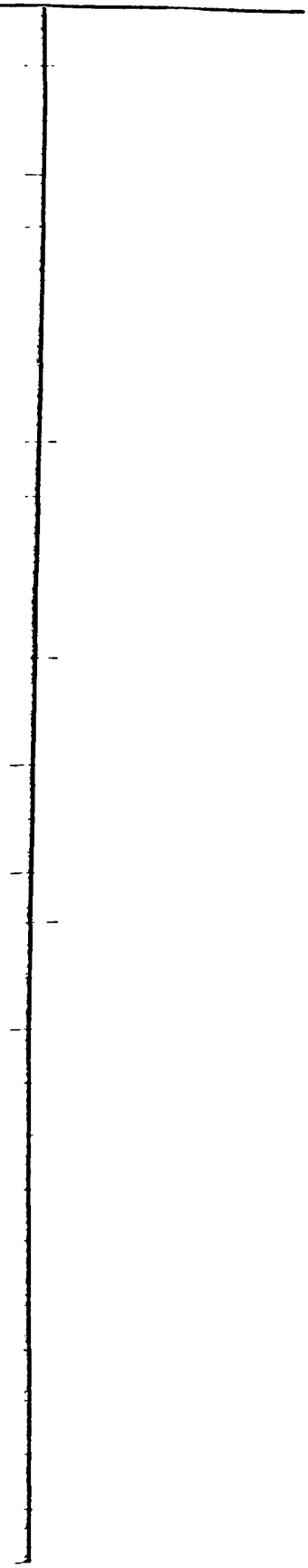
I suggest that the office should put up a draft Press Note on the lines with a suitable preamble

(Id) K T B
23 12 47

WD 02139—GPB—20 000—26 2 45

C F 69]

Continuation Sheet | File No / Current No | of | Page



App F IX 4

1926-27

GF File No 223 26

Previous References

GF 281 25 2

Serial Nos 1

Later References

General and Revenue Secretariat.

Serial Nos Gne

Part B for June 1927

SUBJECT

Forwards for favour of issue of necessary instructions to the Agent, Mysore Railways copies of certain communications Correspondence between the Agent, Mysore Railways and the Auditor Mysore Railways

AP 5/7